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stockholder from the corporation itself clearly governs the principal case. See *COOK, CORPORATIONS*, Vol. 1, § 11; *Humphreys v. McKissock*, 140 U. S. 304.

FOREIGN LAW—JUDICIAL NOTICE OF LAW OF ANOTHER STATE.—Plaintiff set out in his pleadings the law of another state, but failed to prove it. *Held*, the court may proceed on their knowledge of the laws of another state, and it is not necessary in that case to prove them. *Missouri State Life Ins. Co. v. Lovelace* (1907), — Ct. App. Ga. —, 58 S. E. Rep. 93.

This decision rests on the Georgia Civil Code (1895), § 5231, which provides: "The public laws of the United States and of the several states thereof, as published by authority, shall be judicially recognized without proof." This is the first direct decision on this section of the code, but a like interpretation was hinted at in *Seaboard Air Line Ry. Co. v. Phillips*, 117 Ga. 98, though the same was unnecessary for the decision in that case. The court in the principal case cites *Herschfeld v. Dixel*, 12 Ga. 582,—a case decided long before Georgia had a code,—but all that was said there in regard to this point was dictum. *Barranger v. Baum*, 103 Ga. 465, was also noticed in the principal case, but the decision in that case rests on *Herschfeld v. Dixel*. But it would seem that *Barranger v. Baum*, which was decided since the code went into effect in Georgia, is authority against the holding in the principal case, as the court there said: "It is true ordinarily that whenever it becomes necessary for a court of one state, in order to give effect to a public act of another, to ascertain what effect it has in that state, the law in that state must be proved as a fact." So it can be said the decision in the principal case must rest on the above section of the code. It now becomes necessary to know what are public laws as "published by authority." It has been held that it is published by authority if it purports to have been printed by authority of the Governor. *Wilt v. Cutter*, 38 Mich. 189, or by authority of the General Assembly, *Vaughn v. Griffith*, 16 Ind. 353; or when it purports to have been printed by the state, *Paine v. Lake Erie Ry. Co.*, 31 Ind. 283; or when it purports to have been published by authority of a certain statute which is fully set out, *Falls v. U. S. Savings Co.*, 97 Ala. 417. It is not enough, that the statute purports to be printed by authority, but does not say what authority. *Merrifield v. Robbins*, 8 Gray (Mass.) 150; contra, *Edmonds v. State*, 79 Ala. 48.

INNKEEPERS—PROPERTY SUBJECT TO LIEN.—A guest at an inn placed in her rooms a piano, purchased under a contract of sale, reserving the title in the vendor until the price had been paid. *Held*, the inn-keeper was entitled to hold the piano as against the owner, to satisfy unpaid charges for entertainment. *Horace Waters & Co. v. Gerard* (1907), 189 N. Y. 302, 82 N. E. Rep. 143.

A state statute giving the inn-keeper a lien upon the property of third persons rightfully in the possession of the guest, is held to be merely declaratory of the common law and not to extend the inn-keeper's lien. The constitution of New York, adopted in 1777, ordains that the common law

of England, as it existed prior to April 19, 1775, shall be and continue the law of the state subject to statutory changes. English reports prior to 1775 contain few cases in point. *Skipwith v. The Innkeeper* (1612), 1 Bulst. 170; *Robinson v. Walter* (1613), 3 Bulst. 269, 1 Rolle Rep. 449; *Stirt v. Drungold* (1617), 3 Bulst. 289, 14 Jac. B. R. 650; and *York v. Greenaugh* (1703), 1 Salkeld 388, 2 Ld. Raymond 866, seem to exhaust the list. In each of these cases, the property held was a horse belonging to a third person, and the lien claimed was for the keep of the horse. Plaintiff in the principal case argues that this indicates a special lien on animals for their keep, as the rule at common law prior to 1775. The same point was made in *Turrill v. Crawley*, 66 E. C. L. 197, but the lien was held to extend to a carriage as well as to a horse. Some courts deny the lien at all under such circumstances. *Wyckoff v. Southern Hotel Co.*, 24 Mo. App. 382; *McManigle v. Crouse*, 1 Walk. (Pa.) 43; but when it is admitted at all, it is generally insisted that the inn-keeper's lien should extend as far as his liability. The New York statute requires the goods to be "rightfully" in the possession of the guest. It does not appear that this even was required at common law. In *Johnson v. Hill*, 3 Starkie (3 E. C. L.) 172; ABBOTT, C. J., approved an assertion of counsel that it had been held by all the judges that when a robber had brought a stolen horse to an inn the inn-keeper's lien attached for its keep. In *Robbins v. Grey*, 2 Q. B. 501, LORD ESCHER, Master of the Rolls, asserts that it is immaterial who owns the goods or whether the inn-keeper knows whose they are or not, and that such has been the law for two or three hundred years. Therefore it would be safe to say that not only does the New York statute not extend or enlarge the inn-keeper's lien at common law, but if anything impairs it.

JUDGMENT—OF ANOTHER STATE—FULL FAITH AND CREDIT.—The will of one Tilt was duly probated and administered in the courts of New Jersey, and all the personal property, after paying the debts, taxes, and charges of administration, was distributed by the executors to the beneficiaries. The state of New York attempted to levy a succession tax upon the personal estate of the decedent on the ground that, at the time of his death, he was a resident of New York. *Held*, the New York proceedings denied to the New Jersey proceedings the full faith and credit to which they were entitled by the Constitution and Laws of the United States. *Adelaide V. Tilt et al. v. Otto Kelsey, Comptroller of the State of New York* (1907), 28 Sup. Ct. Rep. 1.

A judgment in rem pronounced by a court having jurisdiction determines the status of the thing adjudged against all the world. *Baduc's Syndics v. Nicholson*, 4 La. 81; *Nevada v. C. P. R. R. Co.*, 10 Nev. 47; *Monroe v. Douglas*, 4 Sandf. Ch. 126. The probate of a will is a proceeding in rem, and the judgment of the court thereon is conclusive. 2 BLACK, JUDGMENTS, §§ 635, 638; 2 FREEMAN, JUDGMENTS, 4th ed., § 608; *Martin v. Stovall*, 103 Tenn. 1; *Wellborn v. Carr*, 1 Tex. 463; *Woodruff v. Taylor*, 20 Vt. 65. Because of the constitutional guarantee that full faith and credit shall be given in each state to the judicial proceedings of every other state, such